

**CITY COUNCIL OF THE CITY OF SAN DIEGO
CLOSED SESSION DOCKET
FOR
MONDAY, MAY 22, 2006
CITY ADMINISTRATION BUILDING
COMMITTEE ROOM – 12TH FLOOR
202 “C” STREET
SAN DIEGO, CA 92101**

NOTE: In accordance with the San Diego City Council Permanent Rule for Noticing and Conduct of Closed Session Meetings, adopted on February 28, 2005, a portion of the regular open meeting agenda of the City Council has been reserved for City Attorney comment, public comment, and City Council discussion of the content of this Closed Session Docket. **Public testimony for this Closed Session Agenda will be taken today during the 2:00 p.m. Council meeting.**

Conference with Legal Counsel - anticipated litigation - significant exposure to litigation, pursuant to California Government Code section 54956.9(b):

CS-1 Legality of Superstore Ordinance to Preserve the General Welfare

DCA: J. Garmo

The Joint Labor Management Committee has submitted to the City a proposed ordinance [SKU Ordinance], which would prohibit the establishment of Superstores (stores combining a general discount store with a full-sized supermarket under a single roof) in the City of San Diego. WalMart has threatened litigation if the City were to pass this ordinance.

Conference with Legal Counsel - existing litigation, pursuant to California Government Code section 54956.9(a):

**CS-2 *SDCERS v. San Diego City Attorney Michael J. Aguirre, et al. more*
San Diego Superior Court Case No. GIC841845**

CA: M. Aguirre

This case was originally filed by SDCERS for declaratory relief regarding whether the City Attorney's office may serve as general counsel for SDCERS. The City Attorney cross-complained against SDCERS for declaratory relief regarding the legality of pension benefits granted under MP I and MP II. In closed session the City Council may take action on the waiver of attorney client privilege on closed session transcripts related to this case.